

## MANAGEMENT ALTERNATIVES

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*"A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. "*  
- Aldo Leopold

### MANAGEMENT OBJECTIVES

A range of viable management alternatives for the Loess Hills landform region is presented below. The objective of each management alternative is to provide for the long-term preservation, protection and interpretation of the nationally significant resources that are identified in this study. Each management alternative integrates land protection programs already available in the Loess Hills, comments received from landowners and citizens living within the study area, and comments from the general public. Together, these four alternatives, while having various degrees of federal, state and local involvement, remain sensitive to private landowner concerns and complement existing conservation efforts of state, local, and private entities.

### ALTERNATIVE 1 - MANAGEMENT BY LOCAL GOVERNMENT UNITS (NO FEDERAL INVOLVEMENT)

Under this management alternative, local government units (LGUs) such as cities, towns, and county governments, would continue to be responsible for resource protection. Each unit would be responsible for the development and implementation of comprehensive planning and zoning ordinances that may aid in resource preservation (comprehensive plans can provide a long-term management strategy for resource protection and sustainable growth. Already, Plymouth County has completed a Comprehensive Plan, and Woodbury and Mills counties are developing such plans).

Individual LGUs could work cooperatively with other LGUs in the Loess Hills, or could operate on an independent basis. Each LGU would be responsible for ensuring that existing state regulations, statutes, and programs that contribute to the protection of the Loess Hills are effectively applied. The Loess Hills Alliance would continue to support and enhance individual LGU efforts by continuing to implement landowner education, stewardship, and outreach programs, providing matching grants, and identifying and coordinating land protection opportunities for interested LGUs. The state or the Loess Hills Alliance could provide additional incentives to the LGUs to develop ordinances that are sensitive to the Loess Hills.

The Loess Hills Alliance, The Nature Conservancy, the Western Hills Area Education Agency, Soil and Water Conservation Districts, the U.S. Fish and Wildlife Service, various county conservation boards, and other groups are already providing grants, educational programs, and seminars that contribute to the preservation of the Loess Hills. Property owners would continue to have the option to make use of these and other programs. Conservation easements, land donations, bequests, and other land protection opportunities would continue to be made available by land trust organizations that are operating in the area. In addition to supporting these activities, the LGUs might work with state and private entities in developing Best Management Practices for certain activities, and providing technical assistance to constituents interested in stewardship programs. Federal agencies such as the Natural Resources Conservation Service, U.S. Fish and Wildlife Service, and the U.S. Department of Transportation could continue stewardship activities in the Loess Hills.

Other possibilities under this option could be the offering of Loess Hills-friendly tax incentives (property and income tax deductions) or additional points for participation in existing conservation programs such as the Conservation Reserve Program (administered by the U.S. Department of Agriculture) or Partners for Fish and Wildlife (administered by the U.S. Fish and Wildlife Service). These incentives could be offered by each LGU. Property tax credits for protective management to preserve and enhance the stated natural resource values of the Loess Hills or possible disincentives, such as property tax exemption roll-backs or differential taxation, could also be provided. Upon request, and subject to the availability of funds and staff, federal agencies such as the Natural Resources Conservation Service could assist with demonstration projects. The decision to take advantage of these and other incentive programs would rest with each individual LGU.

Any additional public land acquisition, land management decisions, and program expansion would remain at the discretion of the LGUs. No new land acquisitions, staffing, planning, or other costs would be incurred by the National Park Service.

This alternative relies heavily on the initiative of individual LGUs in the region and continued coordination of the Loess Hills Alliance. Differences in individual LGU policies, ordinances, and funding capabilities would present a number of challenges. Because natural resources do not have jurisdictional boundaries, a local commitment to preserving the integrity of the Loess Hills in a holistic manner would be essential. This option recognizes the positive steps that have already been taken by the Loess Hills Alliance, state and local governments, and other conservation groups. It encourages these efforts to continue. It does

not, however, ensure that a holistic approach will occur. Local efforts may be duplicated or, conversely, there may be gaps.

The majority of public comments that addressed this option favored its dependence on local management. However, many of those commenting on this option felt that a reliance on incentive programs without enforcement capabilities was a weakness, particularly if local interest groups exert pressure on locally elected officials. Others felt that the approach would further fragment the landform region.

## **ALTERNATIVE 2 - MANAGEMENT BY A JOINT POWERS BOARD**

This alternative could be modeled after the successful Mississippi Headwaters project, where a Joint Powers Board (JPB) has been established to provide protection to the resources of the Upper Mississippi River in Minnesota. Chapter 28E of the Iowa Code permits state and local governments to make efficient use of their powers by enabling them to provide joint services and facilities with other agencies and to cooperate in other ways of mutual advantage. The JPB in the Loess Hills would be given the responsibility to prepare the Comprehensive Plan (CP) subject to public review, for the entire landform region. The CP should develop a long-term strategy to preserve the significant resources of the Loess Hills and provide for economic growth and development.

The Loess Hills JPB could consist of representatives from each of the seven counties located within the Loess Hills landform region, or it could be the Loess Hills Alliance. The JPB could be self-funded and would define its role, function, and scope of authority. Individual counties would be responsible for implementing the CP. The CP would provide model ordinances for the landform, which could be adopted on a voluntarily basis by member counties as part of their individual zoning codes. The National Park Service recommends that an advisory or ad-hoc committee be established to support the JPB. The advisory committee would make recommendations to the JPB and provide advice on land use management and provide a forum for public involvement. Members of the advisory committee should include the Loess Hills Alliance, Iowa Department of Natural Resources, The Nature Conservancy, landowners, developers, technical experts from universities and colleges, representatives from the Hungry Canyon Alliance, Loess Hills Preservation Society, and others as identified. Coordination with existing state regulations and county ordinances would be provided by the JPB. The NPS, upon invitation of the JPB, could serve as a non-voting member on the advisory committee until planning efforts are completed.

The CP could establish programs that would assist interested private property owners in implementing a variety of preservation or restoration goals. These programs would be managed by the JPB and could include technical assistance and educational forums, coordination of conservation easements, demonstration projects, or promoting Loess Hills-friendly incentives that encourage the preservation of prairies, woodlands, and cultural sites. The Comprehensive Plan would identify areas within the Loess Hills that are compatible

with residential and industrial growth, agricultural uses, and various forms of recreation. Sensitive resource areas in need of specific protection strategies would also be identified. The JPB could utilize the broad range of public and private partnership opportunities available in the Loess Hills and help to further promote land uses that sustain the natural and cultural resources of the Loess Hills. Possibilities include forming partnerships with landowners and various agencies and organizations already working in Loess Hill. These entities could be brought together in a coalition with the JPB for land use planning. A funding account could be established and managed by the JPB, which would be earmarked for land use planning and selected demonstration projects meeting JPB established criteria (restoration, mitigation, preservation). The funds for JPB operation and programs would come from a combination of sources (existing county funds, state appropriations, new revenue generated through existing authorities available to the JPB).

The Loess Hills Alliance, either serving as the JPB, or working with the JPB, would continue to provide education and outreach programs aimed at increasing the public's understanding and appreciation of the Loess Hills region and its resources. The Loess Hills Alliance would also continue to provide stewardship activities to assist landowners in developing best management practices, establishment of conservation incentive programs, and coordination of grants for demonstration projects.

Upon request of the JPB, federal programs such as the National Park Service's Rivers, Trails and Conservation Assistance Program (RTCA), and agencies such as the Natural Resources Conservation Service, could provide technical assistance. The U.S. Department of Agriculture (USDA) might provide a program that recognized nontraditional agricultural products and provides assistance to encourage participation. However, the ability to provide technical assistance would be contingent upon the availability of agency funding, staff, and other resources and may require additional appropriations.

This alternative combines the capabilities and resources of the local, state, and federal governments and the private sector without direct federal land acquisition and management. It builds on programs already established in the Loess Hills, and helps to streamline land use planning and zoning ordinances. The common vision for the Loess Hills landform region is readily apparent in this option, which allows for economies of scale. Counties would have to provide funding for planning and implementation, and enforcement will be based upon local initiatives.

The majority of responses to this alternative favored the strong regional presence and leadership provided by the JPB. Many voiced fears that this option did not provide sufficient protection because it assumed that the management entities would be able to secure the necessary funding and expertise to achieve the stated goals, and that non-member counties may not share the same vision as the JPB. However, the advisory committee to the JPB could be composed of persons with a variety of technical skills and professional expertise. Additionally, counties are beginning to develop long range plans on their own initiative. For example, Plymouth County has completed a new comprehensive plan and has established an overlay district in their zoning ordinances for the Loess Hills (overlay districts have more stringent zoning standards). Mills and Woodbury Counties are in the process of developing

similar plans. The Loess Hills Alliance is providing financial incentives for counties that do comprehensive planning that include overlay districts in areas with sensitive resource. Public review of the Comprehensive Plan would provide an opportunity for individual involvement into the decision making process.

## **ALTERNATIVE 3 - NATIONAL RESERVE**

This alternative is contingent on Congress passing legislation that would designate the entire Loess Hills landform region (approximately 640,000-acres) as a National Reserve, an affiliated area of the National Park System. Affiliated areas must meet the same significance criteria as units of the NPS, but are neither federally owned nor directly managed by the NPS. A management entity is designated to provide management and oversight for the area. The management entity must manage the affiliated area in a manner that conforms to all policies, laws, and regulations that are applicable to units of the NPS. Affiliated areas have access to technical, financial, and program assistance from the NPS. Usually, the assistance provided is of a technical nature, such as for preparation of a management plan or interpretive exhibits, and is secured on a competitive basis.

There are four specific criteria that must be considered for nationally significant areas to be suitable as an affiliated unit of the National Park System:

- Meet the same standards for national significance that apply to units of the National Park System.
- The area's resources must require some special recognition or technical assistance beyond what is available through existing NPS programs.
- The area's resources must be managed in accordance with the policies and standards that apply to units of the National Park System.
- The area's resources must be assured of sustained resource protection as documented in a formal agreement between the NPS and the non-federal management entity (National Park Service 2001). Thus, it must be possible to establish and continue a standard of maintenance, operations, public service, and financial accountability consistent with requirements applicable to National Park System units.

The Loess Hills Reserve would be managed by a special entity identified in the legislation that establishes the Reserve. This management entity could be the Iowa Department of Natural Resources (IDNR), or a specially codified unit of state government. Or, the entity could be a unique organization defined by parameters specified by Congress, such as a commission composed of staff from the IDNR, The Nature Conservancy, each of the seven counties, and interested landowners. The IDNR or management commission would be responsible for the management and day-to-day operation of the Reserve, according to guidelines established in a Comprehensive Plan for the Reserve. The management entity, with NPS assistance, would prepare a collaborative Comprehensive Plan that meets NPS standards and that furthers the purposes of the Loess Hills National Reserve.

The Comprehensive Plan would be a long-term comprehensive planning document that identifies how resources, visitors, and facilities will be managed. Working with local government units and interested tribes, the management entity could craft model ordinances, and help coordinate local and regional activities with state regulations and programs. Incentive programs, grants, and conservation easements could be incorporated into this option to encourage county and city land use planning efforts towards a more sustainable direction. Development could be discouraged in sensitive areas while growth could be directed and encouraged in other areas. The responsibilities and authorities of the management entity would include comprehensive long-range planning; coordination of stewardship programs and activities; establishment of cooperative agreements; and dissemination of standards for visitor services and resource protection. The NPS may assign a staff liaison to assist with planning and program coordination during the formative stages of the project. However, this level of involvement would be phased out once the Comprehensive Plan was completed.

One of the responsibilities of the National Park Service under the Reserve concept could be to ensure the consistency of federal actions throughout the area covered by the national designation. If authorized by Congress, the NPS would review federal undertakings in the area to ensure that said undertakings were in keeping with the purposes for which the Reserve was established, and that are consistent with the Reserve's comprehensive plan. "Undertakings" would include any direct federal actions, federally permitted actions, and federally funded actions. The NPS would work with other federal entities to modify proposed undertakings found to be incompatible with the Reserve's comprehensive plan so that they would conform to said plan.

Congress could insert a clause in the enabling legislation for the Reserve that directs other federal agencies to coordinate with the NPS on activities within the Reserve. Agencies would be required to contact the NPS at the earliest opportunity to discuss the undertaking; they would provide materials necessary for the NPS to review and evaluate the undertaking. The legislation also could outline a process for resolving inconsistencies and/or reporting impasses between the NPS and other agencies.

As an affiliated area of the National Park System, the site would be included in NPS publications and brochures. There would not be federal land acquisition within the Loess Hills National Reserve. Acquisition of private property, if any, within the Reserve boundaries by the management entity would be in compliance with state policy. The management entity could facilitate land and easement purchases from willing sellers if authorized to do so. This alternative could result in increased publicity for the area, thus increasing visitation without a guarantee of resources necessary to meet the increased demand for services.

The management entity could coordinate a technical assistance program that is funded by state and federal dollars. Assistance would be provided on a competitive basis for planning, education, interpretation, preservation, recreational trail development and a variety of demonstration projects for open-space conservation. Existing visitor centers could coordinate education and outreach activities, and complement efforts such as the Loess Hills Prairie Seminar series.

Designation of the Loess Hills as a NPS affiliated area could provide valuable recognition and act as a tool to assist local and state partners in their efforts to appropriately develop, manage, and preserve the region. It would ensure that comprehensive planning is funded and coordinated throughout the entire landform. Implementation of this option would require specific management area boundaries be identified during the planning process. This designation would require a permanent NPS commitment to the Loess Hills, and would add an additional layer of management where there are already multiple entities working to preserve, protect, and promote the Loess Hills. The region's infrastructure (roads, bridges, visitor centers) may require improvements and/or additions if visitation increases in response to the Federal Reserve designation. This also may impact fragile resources, requiring focused monitoring efforts to avoid or reduce visitor impacts.

Favorable comments to this alternative identified the prospect of long-term protection and national recognition as desirable. The balance of local and federal influence, and NPS involvement were also cited strengths. The majority of comments opposed to this alternative anticipated operational difficulty in administering the entire area, expressed concerns that individual landowners and farmers' private property rights would not be adequately protected, and were generally not in favor of this level of federal involvement.

## **ALTERNATIVE 4 - SPECIAL LANDSCAPE AREAS**

This alternative includes a management combination of National Reserve and Local Government Units. Under this alternative, 12 Special Landscape Areas (Figure 6) would be designated as a National Reserve, an affiliated area of the National Park System. Affiliated areas are neither federally owned nor directly managed by the NPS. Local government units, as in Alternative 1, would continue to manage the remainder of the landform region in a manner consistent with the local ordinances and comprehensive plans. This alternative would be contingent on the 12 Special Landscape Areas (SLAs) meeting the criteria for eligibility and on Congress passing legislation to designate the SLAs as a National Reserve.

To be eligible for affiliated area status, the 12 SLAs must:

- Meet the same standards for national significance that apply to units of the National Park System.
- Require some special recognition or technical assistance beyond what is available through existing NPS programs
- Be managed in accordance with the policies and standards that apply to units of the National Park System, and
- Be assured of sustained resource protection, as documented in a formal agreement between the NPS and the non-federal management entity (National Park Service 2001). This option is contingent on the 12 SLAs meeting criteria for affiliated area status, and on Congress passing legislation to designate the Reserve

Collectively, the 12 SLAs encompass approximately 100,000 acres (about 15 percent of the Loess Hills) and are distributed among the seven counties along the western edge of the landform region from north to south. The 12 SLAs are non-contiguous clusters of exemplary geologic, topographic, and scenic features that best characterize the Loess Hills landform. These landscapes also contain significant amounts of remnant prairie communities, rare plants and animals, and important archaeological sites (Appendix D). Approximately 17,000-acres, or 17 percent, of the land within the SLAs already have some form of existing protection: they are owned by state or county governments or by The Nature Conservancy. The remaining 82,000 acres (83 percent) are in private ownership. The Loess Hills National Natural Landmark (NNL) sites (Turin and Little Sioux) are included in the SLAs. Ownership of NNL lands is a combination of private and public ownership.

A management entity, identified in the legislation that establishes the Reserve, would provide management and oversight to the Reserve. This management entity could be the Iowa Department of Natural Resources (IDNR), or a specially codified unit of state government. Or, the entity could be a unique organization defined by parameters specified by Congress, such as a commission composed of staff from the IDNR, The Nature Conservancy, each of the seven counties, and interested landowners. The IDNR or management commission would be responsible for the management and day-to-day operation of the Reserve, according to guidelines established in a Comprehensive Plan for the Reserve. The level of federal involvement also could be specified as part of the authorizing legislation, and could include National Park Service (NPS) planning. The NPS could provide assistance in developing educational programming in accordance with existing NPS standards, and would assist in defining standards for resource protection and visitor services in the Reserve. The Loess Hills National Scenic Byway could evolve as the "thread" that winds its way through the region, tying the Reserve together. A centralized visitor center, operated by the management entity, could be established to provide visitors with orientation and interpretative opportunities. This education center could work cooperatively with other existing visitor centers in the Loess Hills and help to coordinate programs, publications, and events. The center could include a research and technical assistance component that serves landowners, developers, and others as interested.

As with Alternative 3, the National Park Service could ensure consistency of federal actions throughout the area covered by the national designation. If authorized by Congress, the NPS would review federal undertakings in the area to ensure that said undertakings were in keeping with the purposes for which the Reserve was established, and are consistent with the Reserve's Comprehensive Plan. Implementation of this option will require specific management area boundaries be identified during the planning process.



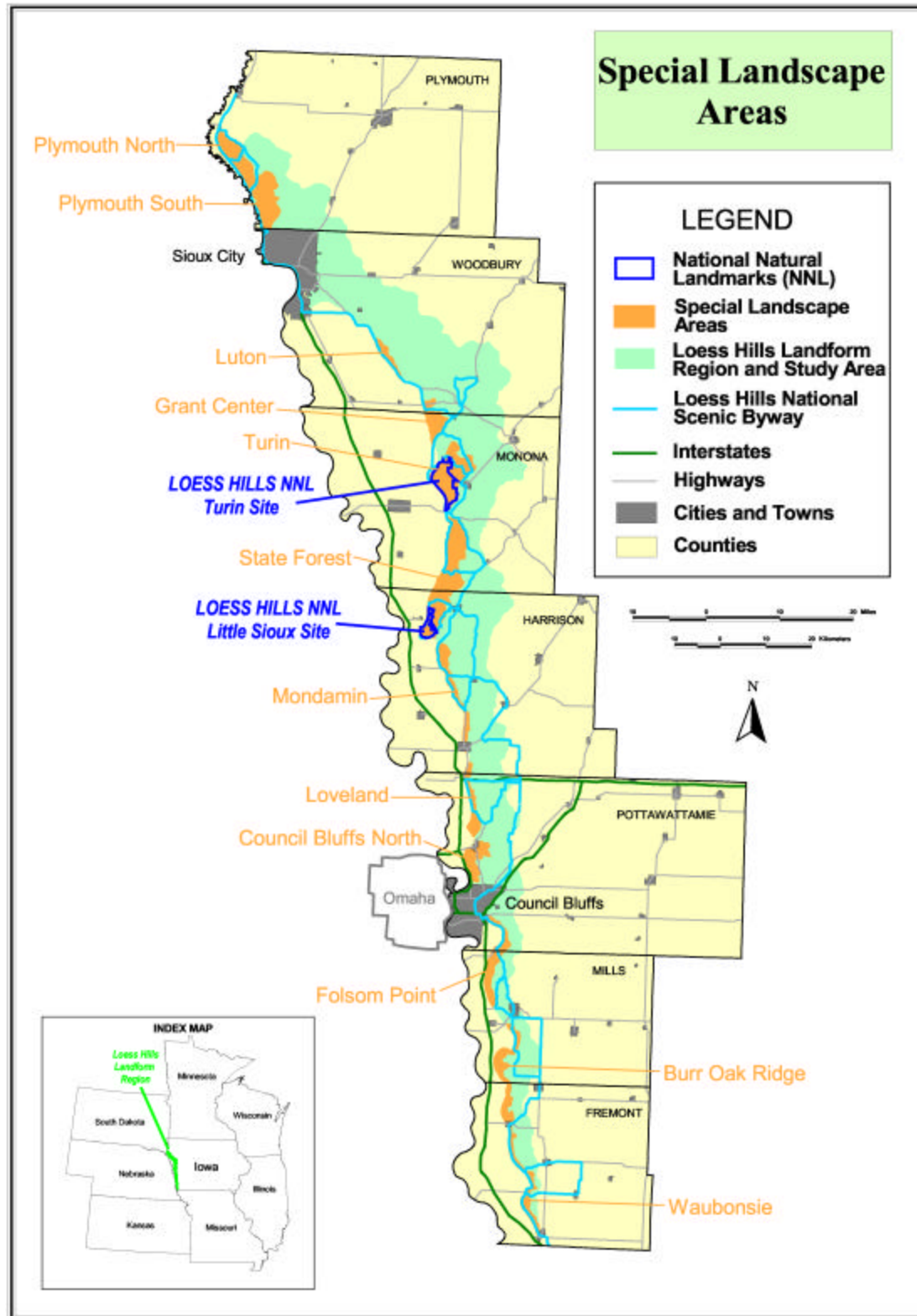


Figure 6: Special Landscape Areas

The remainder of the landform region would be protected through the efforts of individual local government units (LGUs). Each LGU would be responsible for the development and implementation of comprehensive planning and zoning ordinances. Individual LGUs could work cooperatively with other LGUs in the Loess Hills, or could operate on an independent basis. Each LGU would ensure that existing state regulations, statutes, and programs that contribute to the protection of the Loess Hills are effectively applied. The Loess Hills Alliance would continue to support and enhance individual LGU efforts by implementing education, stewardship, and outreach programs and by coordinating land protection opportunities for interested LGUs and landowners. Additional incentives to LGUs could be provided by the state to encourage development of appropriate ordinances sensitive to the Loess Hills.

Property owners would continue to have the option to make use of existing programs. The LGUs might work with state and private entities in providing technical assistance and educational forums to constituents interested in stewardship programs or other approaches to protecting their land. Federal agencies such as the Natural Resources Conservation Service, U.S. Fish and Wildlife Service, and the U.S. Department of Transportation could continue stewardship activities in the Loess Hills.

As an affiliated area of the National Park System, the site would be included in NPS publications and brochures. This increase in publicity for the area could increase visitation without a guarantee of resources that might be needed by the local management entities to provide services necessary to meet the added demand.

This alternative identifies the most important areas within the landform region, and focuses planning and protection efforts on these 12 locations. Designation as an affiliated area could provide recognition and assist local and state agencies in their efforts to appropriately manage the resources of the Loess Hills. This alternative offers a balance between federal, state and local involvement. However, federal planning dollars are not guaranteed for the remaining landform region (approximately 540,000 acres).

The majority of comments in support of this option cited increased protection and a balanced combination of local, state, and federal resources as this alternatives' strength. Comments not in favor of this option cited too much federal involvement, insufficient federal/regulatory protection, and a concern that the "string of pearls" fragments the landform and would not link biological systems or maintain the biological diversity of the area. Since the study was begun, nine private landowners have requested that their land be removed from the National Natural Landmark program. These properties are located in one of the proposed SLAs.

## **Management Alternatives Considered but Rejected**

### **National Heritage Area**

A National Heritage Area is defined as "a settled landscape that tells the story of its residents. Over time the land and the local environment have shaped traditions and cultural values in the people who live there." Additionally, the "residents' use of the land has in turn created and sustained a landscape that reflects their culture."

The designation of National Heritage Area is not appropriate for the Loess Hills landform region because the region does not function as a nationally significant cultural landscape. The history of how people have interacted with their environment does not substantially differ from the history of the surrounding agricultural landscapes of Iowa and Nebraska. The same ethnic populations settled the landform region as settled the adjacent counties. Even though the properties of the loess soils lead to physical adaptations in the way people use the land, these adaptations do not appear to be exclusive to the landform region and cumulatively have not created a culturally distinctive landscape. This management option was rejected.

### **National Monument/National Park**

The Antiquities Act of 1906 authorizes the President to declare areas located on lands already owned by the federal government as National Monuments. There are no such lands in the Loess Hills. The landform region did not meet the feasibility criteria for units of the National Park System because of land ownership patterns, configuration, and resource threats. All alternatives that included National Monument or National Park status were rejected.

### **National Parkway**

National Parkways are ribbons of roadways flanked by land and offer a variety of interpretive opportunities while driving through areas of scenic interest. In this option, the Loess Hills National Scenic Byway, and perhaps other connecting roads, would be designated a National Parkway, a unit of the National Park System. The landform region did not meet the feasibility criteria for units of the National Park System because of land ownership patterns, configuration, and resource threats. Because the landform did not meet the feasibility criteria, this option was rejected.

### **National Scenic Trail**

National Scenic Trails are generally long-distance footpaths winding through areas of natural beauty. This option considered development and designation of a National Scenic Trail, a unit of the National Park System. The landform region did not meet the feasibility criteria for units of the National Park System because of land ownership patterns, configuration, and resource threats. Because the landform did not meet the feasibility criteria, this option was rejected.

### **National Reserve/National Heritage Area**

This option explored the designation of the 12 Special Landscape Areas, including the NNL, as a National Reserve, a National Park Service Affiliated Area. The remainder of the region would be designated a National Heritage Area, managed through cooperative efforts among federal, state, and local governments and private non-profit organizations. Since the region does not meet the criteria for National Heritage Area designation this option was rejected.